



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 474

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 8, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

This bill gives public-record status to disciplinary action involving law enforcement personnel (specified in section 1) and certificated school employees [See: sections 12 and 23)]

They are not “singled out” and subjected to treatment different from other categories of persons having a unique relationship and responsibility to the public.

As public servants obliged to adhere to a high standard of conduct due to the nature of their duty to the public and the power they may exercise over others, law enforcement personnel and certificated school employees are not entitled to concealment of disciplinary action imposed for misconduct.

Any such concealment runs counter to the transparency that should exist in government, and to which the public is entitled. For example:

- (1) The Nebraska Health and Human Services System regularly publicizes allegations and disciplinary actions against medical professionals licensed in Nebraska. The Omaha World-Herald routinely publishes such information.
- (2) Disciplinary action taken against attorneys is made public by the Nebraska Supreme Court. The Omaha World-Herald routinely reports such cases.
- (3) Even judges are not exempt from disclosure of disciplinary action. In addition to disciplinary action imposed by the Nebraska Supreme Court, even a reprimand imposed by the Commission on Judicial Qualifications “shall be public and shall be announced in a fashion similar to that of a published opinion of the Supreme Court,” section 23-731 (2006 Supplement).

(In recent months religious organizations have come to realize that disclosure of misconduct and punishment of clergy is demanded by the public if such organizations are to retain even a shred of public credibility.)

The disclosures required pursuant to LB 474 are in the public interest, as well as the interest of the entities employing those affected.

Principal Introducer: _____
Senator Ernie Chambers

